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2 Presented to the Court by the foreman of the
3 Grand Jury in open Court, in the presence of
the Grand Jury and FILED in the U.S.
DISTRICT COURT at Seattle, Washington.

4 _____ *March 29, 2023*
Ravi Subramanian, Clerk
5 By _____ Deputy
6

7 UNITED STATES DISTRICT COURT FOR THE
8 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

9
10 UNITED STATES OF AMERICA,
11 Plaintiff

NO. **C R 23 - 5090 BHS**
INDICTMENT

13 v.
14 ASHTON CONNOR GARCIA,
15 Defendant.

16 The Grand Jury charges that:

17
18 **INTRODUCTION**

19 1. At all times relevant to this Indictment, ASHTON CONNOR GARCIA
20 lived in Kitsap County, within the Western District of Washington.

21 2. From early June 2022 through early September 2022, ASHTON CONNOR
22 GARCIA engaged in prolific swatting activity. “Swatting” is the malicious practice of
23 making hoax emergency calls to an emergency service, such as a police department, to
24 falsely report an ongoing emergency at a particular location. The intent of a swatting call
25 is to cause large-scale deployment of special weapons and tactics (SWAT) teams, bomb
26 squads, and other police units to the targeted location. By way of example, such calls

1 may involve allegations that an explosive device will be detonated, or that a violent crime
 2 has taken or is taking place. Swatting calls are typically made to harass, intimidate, and
 3 retaliate against specific individuals or organizations and to obtain items of value through
 4 extortion.

5 3. ASHTON CONNOR GARCIA obtained personally identifiable
 6 information, including dates of birth, phone numbers, addresses, and identities of family
 7 members, through various means. He then used that information to threaten individuals
 8 with harm, including swatting, and to place swatting calls. Sometimes, an online friend
 9 provided him with personally identifiable information for a target, and he swatted the
 10 target at the friend's request.

11 4. ASHTON CONNOR GARCIA made threats to harass and extort specific
 12 individuals and organizations. He demanded money, virtual currency, credit card
 13 information, or other items of value, such as sexual photographs, from specific
 14 individuals and organizations and threatened to harm individuals, place swatting calls,
 15 and detonate explosive devices if they did not comply with his demands.

16 5. ASHTON CONNOR GARCIA used VoIP technology to obscure his true
 17 identity and location and to place hoax calls to law enforcement agencies at non-
 18 emergency phone numbers.

19 6. As part of his swatting activity, ASHTON CONNOR GARCIA provided
 20 information to law enforcement agencies that he knew to be false. He provided false
 21 names. He falsely claimed that he and others had planted explosive devices in particular
 22 locations. He falsely accused other individuals of committing crimes, such as murder,
 23 rape, and kidnapping, and he falsely claimed that these individuals possessed dangerous
 24 weapons, such as knives, firearms, and explosive devices.

25 7. Several of ASHTON CONNOR GARCIA's swatting calls repeated certain
 26 false scenarios or "scripts." These repetitive scenarios included false claims that his
 27

1 father was holding him hostage, false claims that he shot his mother, false claims that his
2 father stabbed his mother, and false claims that his father had raped female members of
3 the family.

4 8. ASHTON CONNOR GARCIA never used his true name when making a
5 swatting call. On several occasions, he used the name of an earlier swatting victim.

6 9. By making these swatting calls, ASHTON CONNOR GARCIA intended to
7 cause a large-scale deployment of police resources to the residences of the people he
8 targeted.

9 10. In response to many of ASHTON CONNOR GARCIA's swatting calls,
10 emergency dispatchers spent several minutes on the phone with GARCIA. During that
11 time, these dispatchers were unavailable to respond to other emergencies.

12 11. In response to many of ASHTON CONNOR GARCIA's swatting calls,
13 armed law enforcement officers were dispatched to the targeted address. During that
14 time, these officers were unavailable to respond to other emergencies. In some instances,
15 the armed law enforcement officers approached and entered a targeted residence with
16 their weapons drawn and detained the people who occupied the residence. This created a
17 volatile and potentially lethal situation for responding law enforcement officers and
18 scared and surprised victims who misunderstood the true nature of the situation they were
19 confronting.

20 12. ASHTON CONNOR GARCIA sometimes placed more than one swatting
21 call targeting a particular victim's residence.

22 13. ASHTON CONNOR GARCIA treated swatting calls like entertainment.
23 He broadcasted swatting calls on Discord, an Internet platform that allows users to
24 communicate through voice, video, and text/chat messaging channels. He invited
25 Discord users to watch him place swatting calls at certain dates and times. He created
26 and used Discord servers to broadcast swatting calls to an audience of Discord users.

1 During some of the swatting calls, audience members pretended to be victims or
2 perpetrators of the falsely reported crimes.

3 14. During some of these swatting incidents, ASHTON CONNOR GARCIA
4 taunted police who responded to the emergency and ultimately realized that the call had
5 been a hoax. In online communications, ASHTON CONNOR GARCIA described
6 himself as a “cyber terrorist” and said, “I love being a criminal.”

7 15. In a three-month period between June 6, 2022 and September 6, 2022,
8 ASHTON CONNOR GARCIA made more than 20 swatting calls to police departments
9 and emergency dispatch centers throughout the United States and Canada, including
10 California, Georgia, Illinois, Kentucky, Michigan, Minnesota, New Jersey, Ohio,
11 Pennsylvania, Tennessee, Washington, and Edmonton, Alberta.

COUNT 1

(Extortion – Ohio)

15 16. The allegations set forth in Paragraphs 1-15 of this Indictment are realleged
16 and incorporated into this Count, as if fully set forth herein.

17 17. On or about July 17, 2022, in Kitsap County, within the Western District of
18 Washington, and elsewhere, ASHTON CONNOR GARCIA, with intent to extort items
19 of value from a minor female (VICTIM-1), namely, credit card information, knowingly
20 transmitted in interstate and foreign commerce, from the State of Washington to the State
21 of Ohio, a communication, namely a series of VoIP and Internet messages, that contained
22 a threat to injure the reputation of VICTIM-1 and VICTIM-1's family members, and to
23 accuse VICTIM-1 and VICTIM-1's family members of a crime, by threatening to leak
24 nude photographs and "swat" them.

All in violation of Title 18, United States Code, Sections 875(d) and 2.

COUNT 2

(Threats and Hoaxes Regarding Explosives – Ohio)

18. The allegations set forth in Paragraphs 1-15 of this Indictment are realleged and incorporated into this Count, as if fully set forth herein.

19. On or about July 22, 2022, in Kitsap County, within the Western District of Washington and elsewhere, ASHTON CONNOR GARCIA, using an instrument of interstate and foreign commerce, namely the Internet and a telephone, and in and affecting interstate and foreign commerce, maliciously conveyed false information to the Shaker Heights Police Department in Ohio, knowing the same to be false, concerning an attempt and alleged attempt being made, and to be made, to kill, injure, and intimidate an individual by means of an explosive, by falsely claiming that his father was holding the family hostage, raping his mother and sister, and possessed numerous firearms and a makeshift hand grenade.

All in violation of Title 18, United States Code, Sections 844(e) and 2.

COUNT 3

(Threats and Hoaxes Regarding Explosives – Ohio)

20. The allegations set forth in Paragraphs 1-15 of this Indictment are realleged and incorporated into this Count, as if fully set forth herein.

21. On or about July 28, 2022, in Kitsap County, within the Western District of Washington and elsewhere, ASHTON CONNOR GARCIA, using an instrument of interstate and foreign commerce, namely the Internet and a telephone, and in and affecting interstate and foreign commerce, willfully made a threat and maliciously conveyed false information to the Cleveland Police Department in Ohio, knowing the same to be false, concerning an attempt and alleged attempt being made to destroy a

1 building and other real and personal property by means of an explosive, by falsely
2 claiming that he had planted a pipe bomb at a television station in Cleveland, Ohio.

3 All in violation of Title 18, United States Code, Sections 844(e).

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5 **COUNT 4**

6 **(Hoaxes Regarding Firearms – California)**

7 22. The allegations set forth in Paragraphs 1-15 of this Indictment are realleged
8 and incorporated into this Count, as if fully set forth herein.

9 23. On or about July 29, 2022, in Kitsap County, within the Western District of
10 Washington, and elsewhere, ASHTON CONNOR GARCIA engaged in conduct with
11 intent to convey false and misleading information under circumstances where such
12 information may reasonably have been believed, and where such information indicated
13 that an activity had taken, was taking, and would take place that would violate chapter 44
14 of Title 18, United States Code, namely Title 18, United States Code, Section 922(g)(3),
15 pertaining to unlawful possession of firearms by users and addicts of controlled
16 substances, by placing a VoIP call to the Los Angeles Police Department in California, in
17 which he falsely claimed that his father was raping his sister with a gun, had a lot of guns,
18 had mental health issues, specifically, schizophrenia, and was addicted to PCP
19 (phencyclidine).

20 All in violation of Title 18, United States Code, Sections 1038(a)(1)(A).

21

22 **COUNT 5**

23 **(Interstate Threats – Kentucky)**

24 24. The allegations set forth in Paragraphs 1-15 of this Indictment are realleged
25 and incorporated into this Count, as if fully set forth herein.

25. On or about July 30, 2022, ASHTON CONNOR GARCIA knowingly transmitted, in interstate and foreign commerce, a communication containing a threat to injure and kill the person of another, that is, a VoIP call to the Kentucky State Police in Kentucky, in which he threatened to injure and kill named hostages.

All in violation of Title 18, United States Code, Sections 875(c) and 2.

COUNT 6

(Hoaxes Regarding Aircraft – California)

9 26. The allegations set forth in Paragraphs 1-15 of this Indictment are realleged
10 and incorporated into this Count, as if fully set forth herein.

11 27. On or about August 23, 2022, in Kitsap County, within the Western District
12 of Washington, and elsewhere, ASHTON CONNOR GARCIA willfully and maliciously,
13 and with reckless disregard for the safety of human life, and under circumstances in
14 which the information reasonably may have been believed, conveyed information that he
15 knew to be false about an alleged attempt being made, or to be made, to violate Title 49,
16 United States Code, Section 46505, pertaining to carrying weapons on aircraft by placing
17 a call to the Los Angeles Police Department in California in which he falsely claimed that
18 his daughter told him there was a bomb on her flight from Honolulu to Los Angeles.

All in violation of Title 49, United States Code, Section 46507(1).

COUNT 7

(Extortion –New Jersey)

23 28. The allegations set forth in Paragraphs 1-15 of this Indictment are realleged
24 and incorporated into this Count, as if fully set forth herein.

25 29. Between on or about August 24, 2022, and on or about September 4, 2022,
26 in Kitsap County, within the Western District of Washington, and elsewhere, ASHTON

1 CONNOR GARCIA, with intent to extort items of value from a minor female (VICTIM-
2), namely, photographs and videos of her body, knowingly transmitted in interstate and
3 foreign commerce, from the State of Washington to the State of New Jersey, a
4 communication, namely a series of VoIP and Internet chat messages, that contained a
5 threat to injure the reputation of VICTIM-2 and VICTIM-2's family members, and to
6 accuse VICTIM-2 and VICTIM-2's family members of a crime, by threatening to "swat"
7 them.

8 All in violation of Title 18, United States Code, Sections 875(d) and 2.
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10 **COUNT 8**

11 **(Threats and Hoaxes Regarding Explosives – Michigan)**

12 30. The allegations set forth in Paragraphs 1-15 of this Indictment are realleged
13 and incorporated into this Count, as if fully set forth herein.

14 31. On or about September 2, 2022, in Kitsap County, within the Western
15 District of Washington and elsewhere, ASHTON CONNOR GARCIA, through an
16 instrument of interstate and foreign commerce, namely the Internet and a telephone, and
17 in and affecting interstate and foreign commerce, maliciously conveyed false information
18 to the Milan Police Department in Michigan, knowing the same to be false, concerning an
19 attempt and alleged attempt being made, and to be made, to kill, injure, and intimidate an
20 individual by means of an explosive, by falsely claiming that his father was holding him
21 hostage with a gun and bombs.

22 All in violation of Title 18, United States Code, Sections 844(e) and 2.
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COUNT 9

(Threats and Hoaxes Regarding Explosives – Tennessee)

32. The allegations set forth in Paragraphs 1-15 of this Indictment are realleged and incorporated into this Count, as if fully set forth herein.

33. On or about September 2, 2022, in Kitsap County, within the Western District of Washington and elsewhere, ASHTON CONNOR GARCIA, using an instrument of interstate and foreign commerce, namely the Internet and a telephone, and in and affecting interstate and foreign commerce, maliciously conveyed false information to the Milan Police Department in Tennessee, knowing the same to be false, concerning an attempt and alleged attempt being made, and to be made, to kill, injure, and intimidate an individual by means of an explosive, by falsely claiming that his father was holding him hostage inside of a closet, and that his father had a gun and a bomb and was scaring him.

All in violation of Title 18, United States Code, Sections 844(e) and 2.

COUNT 10

(Threats and Hoaxes Regarding Explosives – California)

34. The allegations set forth in Paragraphs 1-15 of this Indictment are realleged and incorporated into this Count, as if fully set forth herein.

35. On or about September 6, 2022, in Kitsap County, within the Western District of Washington and elsewhere, ASHTON CONNOR GARCIA, using an instrument of interstate and foreign commerce, namely the Internet and telephone, and in and affecting interstate and foreign commerce, willfully made a threat and maliciously conveyed false information to the Los Angeles Police Department in California, knowing the same to be false, concerning an attempt and alleged attempt being made, and to be made, to unlawfully damage and destroy a building and other real and personal property

1 by means of an explosive, by falsely claiming that he stashed four pounds of C4 at an
2 airport in Los Angeles, and he would detonate it unless he received \$200,000 in Bitcoin.

3 All in violation of Title 18, United States Code, Sections 844(e).

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5 **FORFEITURE ALLEGATION**

6 The allegations contained in Counts 1 – 3, 5, and 7 - 10 of this Indictment are
7 hereby realleged and incorporated by reference for the purpose of alleging forfeiture.

8 Upon conviction of any of the offenses alleged in Counts 1, 5, and 7, ASHTON
9 CONNOR GARCIA shall forfeit to the United States any property constituting, or
10 derived from, proceeds Defendant obtained directly or indirectly, as a result of the
11 offense. All such property is forfeitable pursuant to Title 18, United States Code, Section
12 981(a)(1)(C), by way of Title 28, United States Code, Section 2461(c), and includes but
13 is not limited to a sum of money reflecting the proceeds the Defendant obtained as a
14 result of the offense.

15 Upon conviction of any of the offenses alleged in Counts 2, 3, 8, 9, and 10,
16 ASHTON CONNOR GARCIA shall forfeit to the United States any property
17 constituting, or derived from, proceeds Defendant obtained directly or indirectly, as a
18 result of the offense. All such property is forfeitable pursuant to Title 18, United States
19 Code, Section 981(a)(1)(C), by way of Title 28, United States Code, Section 2461(c); and
20 Title 18, United States Code, Section 982(a)(2)(B), and includes but is not limited to a
21 sum of money reflecting the proceeds the Defendant obtained as a result of the offense.

22 Pursuant to Title 18, United States Code, Section 844(c), ASHTON CONNOR GARCIA
23 shall also forfeit any explosive materials involved or used or intended to be used in the
24 offense.

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Substitute Assets. If any of the above-described forfeitable property, as a result of any act or omission of the defendant,

- a. cannot be located upon the exercise of due diligence;
 - b. has been transferred or sold to, or deposited with, a third party;
 - c. has been placed beyond the jurisdiction of the Court;
 - d. has been substantially diminished in value; or,
 - e. has been commingled with other property which cannot be divided without difficulty,

it is the intent of the United States to seek the forfeiture of any other property of the defendant, up to the value of the above-described forfeitable property, pursuant to Title 21, United States Code, Section 853(p).

A TRUE BILL:

DATED: 3/29/23

Signature of Foreperson redacted pursuant to the policy of the Judicial Conference of the United States.

FOREPERSON

NICHOLAS W. BROWN
United States Attorney

ANDREW C. FRIEDMAN
Assistant United States Attorney

JESSICA M. MANCA
Assistant United States Attorney